

**Commonwealth of Virginia**

**PRIVATE SECURITY SERVICES ADVISORY BOARD**

**December 1, 2005**  
**Quarterly Meeting Minutes**

Held at the Department of Health Professions, Richmond, Virginia

**Call to Order:**

At approximately 10:00 a.m., Chair Kevin Hodges called the meeting to order for the Private Security Services Advisory Board (PSSAB)

**Opening Remarks:**

Chair Kevin Hodges welcomed everyone to the conference and thanked everyone for their participation. Chair Hodges reminded everyone that there were two sign in sheets on the table outside the door, one for Attendance and one for Public Comments.

**Attendees:**

Chair Kevin Hodges, Vice Chair Dennis VanDuzee, Secretary Christopher DiMartino, Deborah Aylward, Stephen Martin, Thomas Turner, Connie Higginbotham, Charles Tobin, Tony Millner and Rafe Wilkinson.

**Absent:**

Sean Creamer

Deputy Chief James A. Cervera

Mark Fair

Chair Kevin Hodges remarked for the record and minutes that this was the third consecutive PSSAB meeting missed by Sean Creamer.

**Approval of Minutes:**

Minutes for the October 25, 2005, meeting were reviewed. Correction made to page 3, first paragraph, line 6 changing "snick" to "sneak". A motion was made by Connie Higginbotham, seconded by Steve Martin, to approve the amended minutes. Minutes were unanimously approved.

**DCJS Report:**

Mrs. Hahn, Section Chief announced that Jennie McLamb has left DCJS for Omniplex. We will be advertising to fill the position in the near future.

DCJS has hired Jeff Scott as an Agent/Investigator, January 10, 2006. He is a former FBI Agent and also worked for the NCAA (compliance) for a couple years. He is currently the Fraud Supervisor for Social Services in North Carolina.

Kathleen Truesdale has accepted employment as the Executive Administrative Assistant for the Section and will join the team on January 3, 2006. She currently serves as the office manager of Appomattox Regional Governor's School. She has 14 schools reporting to her and is an extremely dynamic individual. She also serves as the clerk of their Board. She will become the new Board Liaison.

Ellie Culbertson will be doing Administrative Investigations for the Compliance and Enforcement Section.

Dawn Meeks, who is a temporary employee, will be moving into a P-14 position in Customer Service. (P-14 is an unclassified position working 32 hours a week)

We will restructure the investigative area. We will have field investigators as well as one administrative (inside) investigator, Ellie Culbertson. We plan to hire a P-14 individual to be the Case Intake Analyst.

We will be advertising the vacant P-14 position for the Fiscal Specialist.

We received word from the Governor's Office that they will not review any additional regulations until the Governor Elect takes office.

Lisa McGee will soon be asking for volunteers to work on the private security regulation committee. Those of you interested in changing regulations or helping the process, please contact Lisa McGee.

Bail Bondsmen Regulations, the NOIRA (Notice of Intended Regulatory Action) has been submitted and has had the initial public comment period. We are in the process of completing the Draft Regulations. There is a large committee made up of industry members, the State Crime Commission, Magistrates' offices, jails and sheriffs involved in this process.

Bail Enforcement Agents Regulations are currently in the Emergency Regulatory Process.

We now have about 351 Bail Bondsmen registered, 251 are Surety Bail Bondsmen and 110 are Property Bail Bondsmen. Thus far we have 16 Bail Enforcement Agents since October 1, 2005.

This year we did an online survey for feedback from the industry on the 2005 Annual Conference. We received an astounding 36% response to the survey.

- 86% of those surveyed liked the location of the conference, Williamsburg.
- The preference for location for next year's conference was Williamsburg first; Virginia Beach second; and Northern Virginia third.
- The length of the conference was just right for the majority.
- Individuals would like to see the Trade Show return for two days.
- 85% liked the overall organization of the conference, the events and how they were organized.
- There were a number of comments and our team will go over those to see if we can make changes to accommodate the majority.
- 87% thought the sessions were useful for professional development.

- We had a debriefing session as soon as we returned from the conference. We talked about all the things we would like not to repeat and things we would like to add or change. We talked about the firearms competition being on the same day as the golf tournament. This makes it difficult for those individuals who would like to do both and it is hard for the staff members who have to do both. We think perhaps we can put the firearms competition on a different day and make it more interactive and beef up the course of fire for those marksmen who really want to be challenged.
- We liked the registration area at the hotel, however, we did not like the short time frame that we were given to use this area.
- The responses we receive from the Request for Proposals (RFP) ultimately dictates where we go but we also attempt to include industry's preferences.

Mrs. Hahn reviewed the Orientation Manual with the board.

We did hold a Test Summit. It was a small group of chiefs, sheriffs, private security, corporate security and government officials. When I say we, I am talking about the Private Security Services Section, Training and Standards Section, members of the PSSAB, members of the CJSB, Virginia Chiefs of Police Association, ASIS, Phillip Morris, and the Federal Reserve Bank assisting us. We had a planning committee and from that planning committee we made a choice to hold a very small summit the first time to test the waters. The Summit was held on November 14<sup>th</sup> & 15<sup>th</sup> in Richmond. We feel it was an extreme success. We are conducting an on-line survey regarding the summit and hope that the results also show that it was a success.

Kim Buckner, DCJS Private Security Services Training Manager went over some of the focus and initiatives going into 2006.

The goal in 2006 is two-fold, 1, we want to look at efficiency, and we want to look at the overall function of the Training Unit and how things are processed. Anything that we can improve that it is internal process oriented. If you have feedback, I'd certainly love to hear. We will also be looking at ways of incorporating new activities for the entire regulant population. We want to focus on ways of making more training alternatives. Your ideas of things that we can do as a pre-approved measure and put out on the Website, we'd like to have more training alternatives available to everybody so that there are some unique opportunities, while maintaining the traditional training opportunities. We want to be able to assist the Training Schools in looking at new ways of bringing information that is timely, energizing and helpful to the individual categories. As part of this, we want to look at communicating more effectively and frequently with the entire industry through the Training Schools. We will be introducing Training School Director Training, not as a regulatory change, it will be on a voluntary basis. It will be an opportunity for Training School Directors to work with the Department and get a little bit better understanding on how to communicate what this regulatory industry is that we are involved with, what do we need to do to stay informed and stay on top of things. Not to alleviate the responsibility of the Compliance Agents, but to help with the ground level

individuals entering the industry who are getting orientation in the Training Schools. How can the Training School Directors help to ensure that communication pattern from the individual regulant, that registered person, certified person all the way to the Compliance Agent and then back to the Department, and visa versa.

We also are going to be looking at ways of having the private side and the public safety sector working together, as much as possible, building on our joint theme for the conference and for the summit and for some of the private crime prevention practitioners to bridge the gap and open the doors of communication between Public Safety and Private Security by working with some of the Law Enforcement Academies, bringing more joint opportunities for training and the Law Enforcement Liaison, to share, highlight and plan joint training opportunities that will benefit both Law Enforcement and Private Security in their similar, but distinctly different missions.

We are always eager to hear from you and receive your input as to what things we can do to improve and bring additional trainings, whether they are certified, alternatives or just things that we can bring to the industry to help you do what you do better, smarter, more efficiently and open those doors of communication.

Law Enforcement Introduction to Private Security, part of the block of mandatory training that new recruits to Law Enforcement will be receiving, is in the final stage of development. This training will broaden the awareness of Law Enforcement as to what goes on in Commonwealth as it relates to Public Safety, a part of which is Private Security. I think you will all be proud of the end result. I do have a rough cut; we did share a little bit of that at the summit. For those of you who were not there, I'd be happy to share with you a two-minute sneak peak after the meeting. It will give you an idea of the approach we have taken to introduce this to Law Enforcement.

Leon Baker offered Seasons Greeting on behalf of the Director's Office.

Rafe Wilkinson asked that Lisa McGee follow-up with him. He submitted his name to volunteer to assist her with regulatory process for the Private Security Business Sector.

## **Committee Reports:**

### **Training Committee**

Mr. Martin reported that the Training Committee met November 16, 2005, in Harrisonburg, Virginia and discussed the low light familiarization, the AR-15 security rifle and a couple other issues. The minutes and members will be posted to the website next week. The next meeting will be in March 2006, before the PSSAB meeting.

### **Commonwealth Preparedness**

Chair Kevin Hodges reported that the Board is looking for Board Members to assist with this committee and appointed Christopher J. DiMartino as chair of the committee.

Christopher J. DiMartino announced that on November 16, 2005, the Governor's office announced that Virginia was one of five states that were accredited with the Emergency Management Accreditation. To receive this accreditation, there are 54 national standards and 15 functional areas that include planning and procedure, resource management, training exercises, evaluations and corrective actions, communications and warnings. Virginia joins Pennsylvania, Arizona, Florida, and North Dakota receiving the full accreditation.

### **Legislative Committee**

Chair Kevin Hodges will be appointing a Legislative Liaison. Chair Kevin Hodges gave the floor to Deborah Aylward to discuss a couple of issues.

Deborah Aylward talked about Privacy and Court Record Access. The Privacy and Court Record Access issue is not just a Private Investigator issue; it involves the entire Private Security Services. There is a potential for having personal identifying information, such as your Social Security Number, Date of Birth, Mother's Maiden Name, restricted in Court Records because of Identity Theft and Privacy Hysteria.

The General Assembly started having special committee meetings five years ago. This committee met for four years and came to the conclusion that they could not legislate closure of Court records or restrict access to Court Records.

In the November 28, 2005, Virginia Lawyer's Weekly, there is an article that a Supreme Court Committee has been established to study Court record privacy and access issues.

We have, as an industry, been making members of the General Assembly, Court Clerks, the media, strategic allies such as the Virginia Coalition of Open Government, and members of our industry keenly aware of why we need unrestricted access to Court records. What is mostly at issue is that at some point the Court Clerks put land records, such as your mortgage application that accompanies a real estate purchase online and it was discovered that signatures, all your personal identifying information that is used by Identity Thieves was accessibly by the general public.

I have attended these meetings for the past five years, have sat on special panels, discussed this issue with legislators, the Attorney General and Court Clerks. They are highly aware of our need for access. We will continue to monitor this committee and make our requests through the Criminal Justice Services Board for access.

This is a tough issue. There is a constitutional right to information in Court records, this is why it was kicked up to the Supreme Court because it would become Court Rule or Policy verses Legislative Action that would restrict the public's access to the records.

Thomas Turner asked if this came about because of putting the records online.

Deborah Aylward explained that yes, in the information age, trying to reduce administrative staff, with the public (mortgage companies, insurance companies) coming into the Courthouse, the records were put online. Quite frankly, I argued before the General Assembly last year that there is not a single published incident of Identity Theft occurring where someone has gone into a Courthouse, sat down and taken individuals information. There have been three Social Security Number privacy measures defeated on behalf of this industry. It is a balancing act, balancing Privacy and Access.

Thomas Turner asked if there was some model that the Federal Courts are using, the U. S. Attorney's Office because I've been able to get documents online from the U. S. Attorney's Office.

Deborah Aylward answered that on the Federal level the records are being opened, criminal case dockets, criminal records, etc. but on the State level we have individual privacy advocates, national privacy advocates who have come up with instances that are not founded by empirical data and it creates Privacy Hysteria. If you can go down to the level or reason and can back it up with fact, you can make a good argument for not passing rules or legislation that could effect Public Safety.

### **UNFINISHED BUSINESS:**

None

### **NEW BUSINESS:**

Chair Kevin Hodges asked for particular issues or concerns from the Board Members

Rafe Wilkinson, I work with Private Security Businesses, I have filtered some information out to some association members as well as business owners and business managers. I am eager to work with Lisa McGee in beginning to facilitate that and also to bring in Private Sector Business from a rules and regulation standpoint.

Tony Millner reported that Bail Bondsmen have just been working on the regulations and advertising issues. Lisa has them and maybe we'll have them this month.

Steve Martin said that training is looking at those through the training committee, especially regulations. Please tell Lisa McGee I will be glad to work with her.

Connie Higgenbotham is working with the Chiefs of Police on ordinances for reduction of false alarms.

Charles Tobin had nothing to report but is willing to help on the Regulatory process.

Lisa Hahn announced that VAPSA would meet December 7, 2005 in Northern Virginia; and the Crime Clinic would meet December 13, 2005 in Richmond

Deb Aylward announced that PIAVA would meet December 31, 2005, in McLean, Virginia; Virginia.

Tony Millner announced that the Virginia Bail Bondsmen Association would meet Sunday, December 4, 2005, in Ashland, Virginia at the Hampton Inn.

Mary Kay Wakefield announced the VBFAA is meeting December 8, 2005.

Chris DiMartino announced that AISIS would have a Christmas luncheon December 15, 2005.

Tony Millner asked that if anyone knows certified recovery agents, let them know about the Virginia Bail Bondsmen Association meeting December 4, 2005, Hampton Inn in Ashland, Virginia.

**Public Comment:**

George Haudricourt announced that the Governor Elect, Tim Kaine, is selecting individuals for his Cabinet, to serve at the pleasure of the Governor. I would like all to write to:

The Honorable Tim Kaine, Governor Elect  
Commonwealth of Virginia  
Post Office Box 2485  
Richmond, Virginia 23219

on your company letterhead, and recommend that Leonard Cooke be re-appointed as the Director of DCJS.

**Announcements:**

The next Advisory Board meeting will be held in March, the date to be announced.

**Adjournment:**

There being no further business before the Board, Chair Kevin Hodges called for a Motion to Adjourn. Deborah Aylward made the Motion, Christopher DiMartino made the Second, the Motion carried unanimously and the meeting was adjourned.

**Public Attendees:**

Landon White

Tom Kramer

George Haudricourt



J. H. Roark

Mary Kay Wakefield

Dale Gouldman

Leon D. Baker, Jr.

Ricky Johnson

Beth Townsend

Wayne Boggs

P. Dawn Moody

John J. Monaghan, Jr.

Joyce A. Monaghan

Keith English

Mel Barth